

It appears that
plaintiff has filed an
amended complaint
(Docket Entry No. 19) and
that defendant Anderson
has filed a subsequent
motion to dismiss (Docket
Entry No. 21).

Accordingly, the
Clerk is directed to
terminate this motion
as moot.

John Bryant,
USMJ

NATASHA HOLLAND,

Plaintiff,

v.

THE METROPOLITAN

GOVERNMENT OF NASHVILLE

AND DAVIDSON COUNTY,

et al.

Defendants.

Judge Sharp
Magistrate Judge Bryant

Defendant Metropolitan Nashville Police Department (“MNPDP”) Chief of Police Steve Anderson moves to dismiss Plaintiff’s complaint against him in this case. Plaintiff has failed to allege a viable constitutional complaint against Chief Anderson. And even if she had, there is no clearly-established law that would have put Chief Anderson on notice that he was violating the Constitution. Thus, he is entitled to qualified immunity and dismissal of all claims directed at him.

At around midnight on January 11, 2013, Metropolitan Nashville Police Department (“MNPd”) Officer Phillip Shuler pulled Plaintiff over. Officer Shuler asked Plaintiff to step out of her car and perform some sobriety tests. According to Plaintiff, Officer Shuler nearly stepped into traffic while conducting these tests. When Plaintiff expressed her concern to Officer Shuler, he ordered her into his patrol car to perform a breathalyzer test. Plaintiff requested a blood test. At that point, Plaintiff alleges that Officer Shuler flung the patrol car door open, grabbed